



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 16, 1993

Judge Francisco Herrera
Alamo Municipal Court
840 W. Austin 1-B
Alamo, Texas 78516

OR93-566

Dear Judge Herrera:

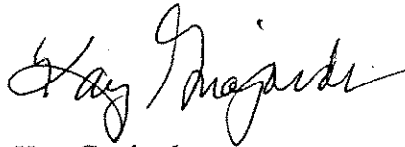
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code, formerly V.T.C.S. article 6252-17a. Your request was assigned ID# 21457.

Pursuant to the Open Records Act, you received a request for "access to the Alamo Municipal Court Docket books." The Open Records Act does not apply to records of the judiciary. Gov. Code § 552.003 (b). As municipal courts are part of the judiciary, the Open Records Act does not apply to the records at issue in your request. See Open Records Decision No. 35 (1974) (copy enclosed).

However, while not subject to the Open Records Act, judicial records are nevertheless subject to common-law and statutory rights of inspection. See Attorney General Opinion No. DM-166 (1992), *Ashpole v. Millard*, 778 S.W.2d 169, 170 (Tex. App.--Houston [1st Dist.] 1989, no writ). Thus, this office has determined that records of a municipal court are public documents and should be made available for public inspection. See Open Records Decision No. 274 (1981).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Kay Guajardo".

Kay Guajardo
Assistant Attorney General
Open Government Section

KHG/TCC/rho

Ref.: ID# 21457

Enclosures: Open Records Decision No. 35

cc: Mr. H.G. Lumbreras
City Manager
City of Alamo
423 N. Tower Road
Alamo, Texas 78516
(w/o enclosures)